

# MANDATE

E.D.N.Y. – C. Islip  
21-cv-2516  
Brown, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23<sup>rd</sup> day of February, two thousand twenty-two.

Present:

Jon O. Newman,  
José A. Cabranes,  
Richard C. Wesley,  
*Circuit Judges.*

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Pantelis Chrysafis, et al.,

*Plaintiffs-Appellants,*

Betty S. Cohen, et al.,

*Plaintiffs,*

v.

22-3

Lawrence K. Marks, in his official capacity as  
Chief Administrative Judge of the Courts of  
New York State,

*Defendant-Appellee,*

Adrian H. Anderson, in his official capacity as  
Sheriff of Dutchess County, New York, et al.,

*Defendants.*

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Appellants move to dismiss the appeal and vacate the District Court's order from which the appeal was taken. Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED as moot. *See Westchester v. U.S. Dep't of Hous. & Urb. Dev.*, 778 F.3d 412, 416 (2d Cir. 2015) ("An action not moot at its inception can become moot on appeal if an event occurs during the



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course of the proceedings or on appeal that makes it impossible for the court to grant any effectual relief whatever to a prevailing party.” (citation and punctuation omitted)).

It is further ORDERED that the motion to vacate the District Court’s order is GRANTED and the case is REMANDED to the District Court with instructions that it be dismissed as moot. *United States v. Munsingwear*, 340 U.S. 36, 39 (1950).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court

A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit